

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,) CRIMINAL NO. 22-CR-136 (PJS/BRT)
)
v.) **MOTION TO SUPPRESS EVIDENCE**
)
DERRICK MAURICE SCOTT,)
)
)
Defendant.)

The Defendant, through his attorney, Kevin W. DeVore, respectfully moves the Court for an Order suppressing any evidence obtained as a result of the illegal stop and search of Defendant's vehicle. Defendant brings this motion on the following grounds:

1. The officer did not have the requisite reasonable articulable suspicion to initiate contact with Defendant. The officer had nothing more than mere suspicion for the stop the 2003 Chevrolet Tahoe on June 6, 2022. This illegal stop violates Defendant's Fourth Amendment right to be free from unreasonable searches and seizures and any evidence obtained therefrom should be suppressed.
2. The officer did not have a sufficient legal basis to search the vehicle defendant was in. In this case, the officer did not secure a search warrant before searching the vehicle; the officer did not have Defendant's consent to search the vehicle; and the officer lacked probable cause to otherwise justify searching the vehicle. Any evidence obtained as a result of the illegal search should be suppressed. *Carroll v. United States*, 267 U.S. 132 (1952).

This motion is based on the indictment, the records and files in the above-entitled action, and any and all other evidence which may be presented prior to or at the time of the hearing on this motion.

Dated: August 1, 2022

✓ Kevin W. DeVore

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